

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RUDEENA FLOCK,)	
)	No. CV-09-3102-CI
Plaintiff,)	
)	
v.)	ORDER GRANTING STIPULATED
)	MOTION TO REMAND PURSUANT
MICHAEL J. ASTRUE,)	TO SENTENCE FOUR OF 42
Commissioner of Social)	U.S.C. 405(g)
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated Motion to Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 35.) Attorney D. James Tree represents Plaintiff Rudeena Flock; Special Assistant United States Attorney Mathew Pile represents Defendant. The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (**Ct. Rec. 35**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall re-assess all of

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1 the medical evidence of record; re-assess Plaintiff's residual
2 functional capacity absent the effects of drug abuse and alcoholism;
3 obtain a psychological consultative examination; and re-assess the
4 materiality of Plaintiff's drug abuse and alcoholism. If necessary,
5 the ALJ shall also obtain additional vocational expert and/or
6 medical expert testimony.

7 2. Judgment shall be entered for the **PLAINTIFF**.

8 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 26**) is
9 stricken as moot.

10 4. An application for attorney fees may be filed by separate
11 motion.

12 The District Court Executive is directed to enter this Order,
13 forward copies to counsel, and thereafter shall close this file.

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15 DATED December 28, 2010.

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18 s/ CYNTHIA IMBROGNO

19 UNITED STATES MAGISTRATE JUDGE
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